

OFFICE OF THE ATTORNEY GENERAL

85-00416



CHARLES A. GRADDICK
ATTORNEY GENERAL
STATE OF ALABAMA

ADMINISTRATIVE BUILDING
64 NORTH UNION STREET
MONTGOMERY, ALABAMA 36130
AREA (205) 834-5150

JUL 1 1985

JAMES R. SOLOMON, JR.
DEPUTY ATTORNEY GENERAL

WILLIAM M. BEKURS, JR.
EXECUTIVE ASSISTANT
TO THE ATTORNEY GENERAL

WALTER S. TURNER
CHIEF ASSISTANT ATTORNEY GENERAL

JANIE NOBLES
EXECUTIVE ASSISTANT

Honorable Emmett W. Eaton
Executive Director
Commission on Aging
502 Washington Avenue
Montgomery, Alabama 36130

Alabama Senior Citizens Hall
of Fame - Appropriations -
State Funds

The Alabama Senior Citizens
Hall of Fame may select a
king and queen during Older
Americans' Month (May).

The term "political field" as
utilized in ALA. CODE
§41-9-741 (Supp. 1984)
includes all persons who have
held political office.

Dear Mr. Eaton:

This is in response to your letter of June 4, 1985,
requesting an opinion on behalf of the Alabama Senior
Citizens Hall of Fame regarding selection of a king and
queen during Older Americans' Month (May) and
clarification of the term "political field" as it relates
to election of members or qualification of candidates for
the Hall of Fame.

The first question raised by the opinion request is
as follows

"In our capacity as their agent, the
Alabama Senior Citizens Hall of Fame

Honorable Emmett W. Eaton

Page 2

has requested that we request from you an opinion as to whether the Alabama Senior Citizens Hall of Fame may select a king and queen during Older Americans' Month (May) with part of their state general fund appropriation. This would be an activity in addition to their annual awards ceremony whereby the Alabama Senior Citizens Hall of Fame honors its new members."

The question is to be answered in the affirmative.

The purpose of the Alabama Senior Citizens Hall of Fame as stated in ALA. CODE §41-9-740 (Supp. 1984) is to

"bestow honor and recognition upon a deserving citizen or citizens for their outstanding accomplishments, services and contributions to the lives of older American citizens."

ALA. CODE §41-9-744 (Supp. 1984) states in pertinent part that

"The said organization shall meet at least once annually to award new memberships and shall hold such other meetings as necessary to carry out its purpose."

Section 41-9-744 further states, "The said Hall of Fame may make rules and regulations necessary to carry out its purposes and functions as prescribed in this Article."

Act No. 82-674 of the 1983 Regular Legislative Session, which established the Alabama Senior Citizens Hall of Fame in Section 7, appropriated from the state general fund an amount of money to "implement the provisions of this Act."

Honorable Emmett W. Eaton
Page 3

Succinctly, the proposal to select a king and queen during Older Americans' Month (May) appears to be entirely consistent with the stated purposes of the Alabama Senior Citizens Hall of Fame as a method to bestow honor and recognition upon deserving Alabama citizens for their outstanding contributions to the lives of older American citizens; therefore the organization may utilize part of its state general fund appropriation to achieve that goal.

The second question raised by the request for an opinion is as follows

"The Alabama Senior Citizens Hall of Fame's enabling legislation states: 'No more than twenty-five percent of the elected members at any time shall be from the political field' (Section 2, Act No. 83-674). The Alabama Senior Citizens Hall of Fame also seeks clarification as to whether that statement applies only to current office holders or if it includes all persons who have held political office."

It is the opinion of the Attorney General that the directive found within ALA. CODE §41-9-741 (Supp. 1984) which limits composition of the Alabama Senior Citizens Hall of Fame to "no more than twenty-five percent ... from the political field" includes all persons who have held political office.

The definition of "political field" when limited to its common and normal denotations, would include all those citizens who have participated in politics to such a degree that they are perceived as being politicians, without regard to their present political status. While this inclusion limits the annual election of Alabama's many deserving citizens from the political field, it insures that the contributions of deserving citizens less politically well-known will neither be ignored nor forgotten.

Honorable Emmett W. Eaton
Page 4

I hope that we have fully and completely answered
your questions and if we may be of further service,
please do not hesitate to contact us.

Sincerely,

CHARLES A. GRADDICK
ATTORNEY GENERAL

By -

A handwritten signature in cursive script, appearing to read "Billington M. Garrett".

Billington M. Garrett
Assistant Attorney General